

TEMPORARY

NO. 65076-T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office APR 22 1999

Returned to applicant for correction

Corrected application filed

Map filed AUG 11 1998 under 64383-T

The applicant **FALLON PAIUTE-SHOSHONE TRIBE**, hereby makes application for permission to change the Place of use of a portion of water heretofore appropriated under Final Decree in United States of America vs. Orr Water Ditch Co. in Equity No. A13, Claim No. 3, TCID Serial No. 712; Final Decree in United States of America vs. Alpine Land & Reservoir Co. ET Al., Civil No. D-183 BRT

1. The source of water is **Truckee River and Carson River**
2. The amount of water to be changed **1017.485 acre-feet subject to allocation**
3. The water to be used for **As Decreed**
4. The water heretofore permitted for **As Decreed**
5. The water is to be diverted at the following point **Lahontan Dam being within SW¼ SE¼, Section 33, T19N, R26E, M.D.B.&M.**
6. The existing permitted point of diversion is located within **No Change**
7. Proposed place of use **Please review the "Attachment to Application" Dated April 20, 1999 and included with this application Please refer to map no. 64383-T Sheet 3**
8. Existing place of use **Please review the "Attachment to Application" Dated April 20, 1999 and included with this application**
9. Use will be from **As Decreed**
10. Use was permitted from **As Decreed**
11. Description of proposed works **Ditches already constructed**
12. Estimated cost of works **As Decreed**
13. Estimated time required to construct works **N/A Already Constructed**
14. Estimated time required to complete the application of water to beneficial use **is for one (1) year**
15. Remarks: **The water will be used on the land held by the Fallon Paiute-Shoshone Tribe Pursuant to a Special Use Permit Issued by the U.S. Fish and Wildlife Service, Department of the Interior.**

By **s/Alvin Moyle**
8955 Mission Road
Fallon, Nevada 89406

Compared dl/cms dl/cms

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 15, 1999 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1,017.485 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Application of water to beneficial use shall be filed on or before:

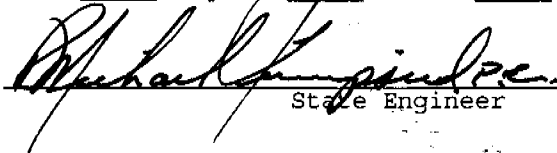
Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office,

this 16th day of June, A.D. 1999


State Engineer

TEMPORARY

NOV 15 1999

Attachment to Application

April 20, 1999

State Engineers Office
Division of Water Resources
123 West Nye Lane
Carson City, Nevada, 89707

Re: Application to temporarily change the place of use of Newlands Project Irrigation Water for the Fallon Paiute-Shoshone Tribe.

Dear Sirs:

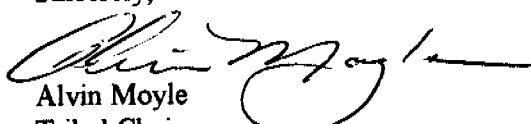
In the matter of the APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED.

TEMPORARY Serial No. 65076-T

7. Proposed place of use, 37.01 acres in the NE1/4 SW1/4, 38.10 acres in the SE1/4 SW1/4, and 38.60 acres in the SW1/4 SE1/4 of Section 13, 35.10 acres in the NW1/4 NE1/4, 36.20 acres in the NE1/4 NE1/4, 36.00 acres in the NE1/4 NW1/4, 32.20 acres in the SE1/4 NW1/4, and 37.50 acres in the SW1/4 NW1/4 of Section 23, Township 19 North, Range 30, M.D.B. & M. Totaling 290.71 acres. Please see sheet 3 as submitted with 1998 application Serial No. 64383-T.
8. Existing place of use, ten acre Parcels No. T-500, T-501, T-510, T-511, T-512, T-513, T-524 and F-18, of Section 9. T-525, F-393, F-394, and F-15, of Section 10. F-30 and F-31 of Section 15. T-540, T-559, and F-80, of Section 16. T-545, T-547, T-548, T-552, T-553, T-556, T-557, and T-558, of Section 17. T-566 and F-189, of Section 20. T-565 and T-570, of Section 21. And .71 acre, on parcel F-423 of Section 3. For a combined total of 290.71 acres, all Sections T19N, R30E, M. D. B. & M. as shown on the attached map of a portion of the Fallon Paiute-Shoshone Tribe Reservation, in Churchill County, State Of Nevada.

Please be advised that the Fallon Paiute-Shoshone Tribe will not be transferring water to the 24.82 acres in the NW1/4 NW1/4 and 35.10 acres in the SW1/4 NW1/4 of Section 14, and 10.55 acres in the NW1/4 NE1/4, 28.86 acres in the NE1/4 NE1/4, 31.80 acres in the SW1/4 NE1/4, and 32.59 acres in the SE1/4 NE1/4 of Section 33, Township 18 North, Range 29 East, M.D.B. & M. Totaling 163.72 acres, as shown on sheet 3 as submitted with 1998 application Serial No. 64383-T.

Sincerely,


Alvin Moyle
Tribal Chairman
Fallon Paiute Shoshone Tribe